

Southern Watershed of Chesapeake and Virginia Beach Special Area Management Plan

A. Summary of Coastal Management Problem

The primary coastal management challenge facing the Southern Watershed Area (SWA) is the need to preserve its significant natural resources in the face of increasing development pressure. The population of the Cities of Virginia Beach and Chesapeake is projected to increase by approximately 224,000, or 40%, by the year 2018. The bulk of the new development associated with this population increase will take place in the SWA. The Southern Watershed SAMP seeks to minimize the adverse impact of continued urbanization on the natural resources of the SWA by improving the range of tools available to the cities to control new development. In addition, the Southern Watershed SAMP will highlight the economic value of the natural resources through the investigation of several sustainable economic development initiatives, including nature tourism and sustainable agriculture.

Preservation of the natural resources in the SWA is further complicated by use conflicts. The Northwest River is the primary drinking water supply for the City of Chesapeake. The North Landing River contains a segment of the Intracoastal Waterway and is heavily used by both recreational and commercial vessels. Back Bay is host to a National Wildlife Refuge that is focused on providing habitat for migratory waterfowl. Recreational uses of the water bodies include canoeing, kayaking, windsurfing, jet skiing, water skiing, hunting and fishing. Land use conflicts include increasing intrusion of residential and commercial uses into agricultural areas, encroachment of residential development into conservation areas and adverse impact of agricultural activities on conservation areas. In addition, agricultural, residential and commercial uses all have the potential to adversely impact water quality. All components of the SWA are classified by the state's Nonpoint Source (Section 319) Assessment as High Priority watersheds for nonpoint source pollution management.

An additional complicating factor is the large number of local, state and federal entities that play a role in the management of the SWA. On the local level, the Cities of Virginia Beach and Chesapeake are responsible for land use decisions. On the state level, the Department of Conservation and Recreation's (DCR's) Division of State Parks manages False Cape State Park, DCR's Division of Natural Heritage manages land holdings on the North Landing and Northwest Rivers, and the Department of Game and Inland Fisheries manages the Pocahontas and Trojan Wildlife Management Areas. On the federal level, the USFWS manages the Back Bay, Dismal Swamp and Mackay Island National Wildlife Refuges, and the U.S. Navy operates Fentress Auxiliary Landing Field and Oceana Naval Air Station. To be effective, management of the SWA must involve coordination and cooperation among these groups.

B. Identification of Implementation Activities

1. Adopt ordinance changes and educate developers: Implementation activities will include zoning and subdivision ordinance updates and PDR program education in Chesapeake. Virginia Beach activities will include adoption of the conservation

subdivision ordinance and enhancement of the open space requirements in the site plan review process.

2. Identify specific mitigation sites: The current work on the Mitigation Strategy will yield a map of multiple benefit mitigation sites, a decision matrix and an agreement between participating agencies to use the information in managing the site selection process. The proposed implementation work will involve education of permit writers and others involved in the mitigation process and evaluation of the utility of the information provided. In addition, it may be necessary to enhance some of the GIS maps providing information on multiple benefits sites based on initial attempts to utilize the system.
3. Implement the Strategic Plan for Agriculture: The Strategic Plan for Agriculture will contain a set of recommendations to preserve the viability of agriculture in the Southern Watershed. The focus of this task will be the incorporation of the recommendations into the Comprehensive Plans and Economic Development Plans in Chesapeake and Virginia Beach. Chesapeake has just begun its comprehensive plan update and Virginia Beach is scheduled to start in 2002.
4. Install a range of management and preservation tools from the Conservation Plan: This task will involve working with federal, state and local agencies and local property owners to implement a range of protection mechanisms in the identified riparian corridor system. Protection mechanisms are likely to include conservation easements, zoning changes and best management practices.
5. Educate Public: Implementation of the Waterway Use Conflict MOA for Back Bay includes education and public involvement.

C. Anticipated Effect of Implementation Activities

The primary objective of the Southern Watershed SAMP is to minimize the ramifications of continued development in the SWA. Since the inception of SWAMP, much work has been undertaken and accomplished to achieve this objective, including: water quality data analysis; GIS development; mitigation strategy; agriculture plan; water use conflict MOA for the North Landing River; rural area preservation program and conservation plan. In the future, several of the proposed program changes and subsequent implementation plans will directly address cumulative and secondary impacts of development and protection of wetlands through the development of new ordinances, the modification of existing ordinances and refinement of design review policies.

D. Appropriateness of Implementation of Program Changes

The City of Chesapeake will begin its Comprehensive Plan update process in the spring of 2001, with the entire process likely to take approximately 18 months. Follow up activities will probably include overhaul of the zoning ordinance and subdivision ordinance. Thus, the timing is appropriate to integrate the policy recommendations from SWAMP into this process. Virginia Beach's timetable is different for its Comprehensive Plan update. While firm plans are not yet in place, it is likely that Virginia Beach will begin its Plan update process in 2002 or 2003. Thus, ordinance change work under SWAMP will have to precede the Plan update process. However, the implementation work in FY 2002 will be oriented toward integration of the SWAMP policy recommendations into the Plan update.

Also, the research and analysis that has taken place over the last four years has set the stage for the implementation of the program changes. The technical work has been targeted to answer key policy questions and offer a range of possible solutions to Chesapeake, Virginia Beach and other federal, state and local stakeholders. Hopefully the logical structure of this information will enhance the likelihood of its incorporation into new management policies in the Southern Watershed. In addition, the Southern Watershed SAMP will address public access and use conflicts through the development of Memoranda of Agreement.

E. General Work Plan

Fiscal Year 2002 (October 2002 - September 2003)

The PDC staff will continue to coordinate work among federal and state agencies and the localities to adopt the recommended policy changes. When needed, the PDC staff will analyze the overlap and conflict between proposed changes and recommend possible solutions. The PDC staff will work with Chesapeake and Virginia Beach city staff to perform quantitative analysis of policy options in conjunction with their Comprehensive Plan update efforts. In the case of MOAs among federal, state and local agencies the PDC will take the lead role. The Cities of Chesapeake and Virginia Beach will take the lead in Comprehensive Plan, zoning and ordinance updates.

Task 1: Ordinance adoption and developer education

Implementation activities will include the adoption of revised ordinances in Chesapeake and Virginia Beach and workshops with developers. Chesapeake: Zoning and subdivision ordinance update, PDR program education. Virginia Beach: Adoption of the conservation subdivision ordinance and enhancement of the open space requirements in the site plan review process.

Task 2: Identification of specific mitigation sites

The preceding Mitigation Strategy work will yield a map of multiple benefit mitigation sites, a decision matrix and an agreement between participating agencies to use the information in managing the site selection process. The implementation work proposed under this task will involve education of permit writers and others involved in the mitigation process and evaluation of the utility of the information provided. Also, it may be necessary to enhance some of the GIS maps providing information on multiple benefits sites based on initial attempts to utilize the system.

Task 3: Implementation of the Strategic Plan for Agriculture

The Strategic Plan for Agriculture will contain a set of recommendations to preserve the viability of agriculture in the Southern Watershed. The focus of this task will be the incorporation of the recommendations into the Comprehensive Plans and Economic Development Plans in Chesapeake and Virginia Beach.

Task 4: Install a range of management and preservation tools

This task will involve working with federal, state and local agencies and local property owners to implement a range of protection mechanisms in the identified riparian corridor system. Protection mechanisms are likely to include conservation easements, zoning changes and best management practices.

Task 5: Public education and analysis

This task will involve education and public involvement to implement the Waterway Use Conflict MOA for Back Bay.

F. Summary of Program Costs

Task	FY 2002	Total
1. Rural Area Preservation Program for Chesapeake	\$20,000	\$20,000
2. Mitigation Strategy for Chesapeake and Virginia Beach	\$20,000	\$20,000
3. Implementation of the Strategic Plan for Agriculture	\$10,000	\$10,000
4. Conservation Easement MOA	\$10,000	\$10,000
5. Waterway Use Conflict MOA	\$10,000	\$10,000
6. Project Coordination	\$30,000	\$30,000
Totals	\$100,000	\$100,000

Category	Federal	Total	Narrative
Personnel	\$62,000	\$62,000	HRPDC Staff
Fringe	0	0	
Equipment	0	0	
Travel	\$3000	\$3000	Meeting and Conference Travel
Supplies	\$10,000	\$10,000	Education Materials, copying, etc.
Contractual	0	0	
Construction	0	0	
Other	0	0	
Total Direct	\$80,000	\$80,000	
Indirect	\$25,000	\$25,000	In accordance w/HRPDC approved Indirect Cost Allocation Plan: 40% of direct personal cost.
Total	\$100,000	\$100,000	

G. Likelihood of Attaining Implementation of Program Changes

During the past four years, prior to the upcoming implementation phase of the project, substantial progress has been made toward the achievement of the program changes identified for this SAMP. Thus far the cities have adopted the North Landing Water Use MOA, Chesapeake has established a stakeholder group to develop a PDR program and Virginia Beach has used Randall Arendt's work on the Rural Area Preservation Program in establishing criteria for the review of rural subdivisions. Virginia Beach will participate in the development of a Water Use MOA for Back Bay this spring. Staff members in both cities are working to integrate the other program changes. Both Chesapeake and Virginia Beach City Councils have received briefings on the proposed program changes and will be invited to participate in future consensus-building efforts. Finally, both cities are preparing to update their comprehensive plans. The update process will provide an excellent opportunity to include the policy recommendations from the SAMP in the public discussion of planning issues in the two cities.

The implementation tasks that have been selected are tied to existing goals and initiatives that are under way in the two cities. Further grant funding available under the SAMP will, in the future, be used to support valuable education and implementation activities, which has been designed to directly support the proposed program changes. The opportunity to implement the SAMP comes at a critical time for the SWA. Both cities are continuing to grow and expand into the SWA. The way in which the new development occurs will have major ramifications on the rare and sensitive wetlands communities that comprise a large portion of the SWA.

H. Fiscal and Technical Needs

1. Fiscal Needs: Without Section 309 funding a combined effort by Virginia Beach and Chesapeake to manage the SWA is impossible. Both cities currently face tight budgets due to high infrastructure and education costs. The budgetary constraints in Virginia Beach and Chesapeake prevent the funding of a project of this magnitude. The City of Chesapeake recently completed an analysis of its fiscal situation and found that it has a significant budgetary shortfall, which will preclude city support for this without Section 309 funds. The HRPDC, as the lead agency for the SAMP, is funded by per capita contributions from its member local governments. It has no revenue generating capability other than grant funding. The HRPDC is unable to fund this project without the Section 309 grant.

2. Technical Needs: Technical resources to undertake many aspects of the project are presently available in the participating agencies. Funding, however, is necessary to ensure the availability of those resources for this project. To ensure project completion in a timely and effective manner, a lead agency with project coordination, technical resources and conflict resolution abilities is necessary. That agency, the HRPDC, requires financial resources, as noted above, to undertake this project.